

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

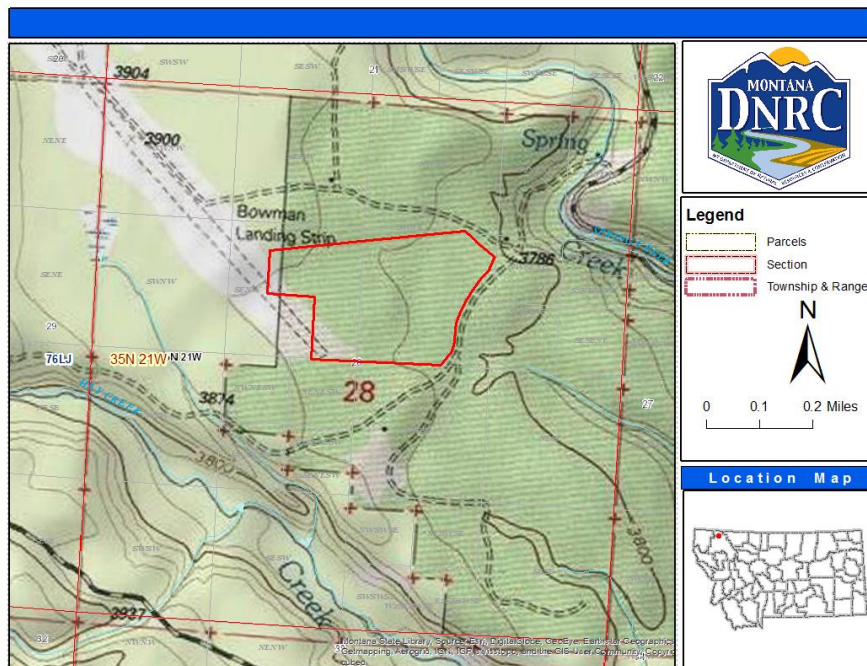
1. Applicant/Contact name and address:

James and Lorna Rittenburg
1276 Long Bow Trail
Polebridge, MT 59928

2. Type of action: Permit to Appropriate Water 76LJ 30115563

3. Water source name: Groundwater

4. Location affected by project: SWSWNE, Section 28, Township 35N, Range 21W, Flathead County



5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

This application is to obtain a water use permit for a pond located in the Glacier National Park Compact Area in the above-described location. The Applicant proposes to fill the pond with groundwater, and is requesting 7.0 acre-feet per year. The proposed use is for fisheries use from January 1 to December 31

inclusive of each year. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-20-401 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

The National Park Service is being notified per compact requirement.
Montana Historical Society
Montana Natural Heritage Program

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: Not applicable, the source is groundwater.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: Not applicable, the source is groundwater.

Groundwater - Assess if the proposed project impacts ground water quality or supply.
If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

There is no flow rate associated with this application because the pond is recharged directly by shallow groundwater. The pond will be used as a fishery. The Applicant plans to stock the pond with fish and will obtain the appropriate permits from MT FWP.

Determination: No impacts

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

There is no diversion works or flow rate associated with this application because the pond is recharged directly by shallow groundwater through the bottom of the pond. This pond is off-channel and does not require a dam or well. The pond has existed for 30 years.

Determination: No impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

The Montana Natural Heritage Program and DFWP website were reviewed to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern", that could be impacted by the proposed project.

According to the Montana Natural Heritage Program and DFWP in Township 35N, Range 21W there are three plant species of concern: Moonworts (*Botrychium* sp), Arctic Sweet Coltsfoot (*Petasites frigidus* var. *frigidus*) and A Lichen (*Lobaria hallii*). The proposed project will not impact this species or its habitat; the pond was constructed approximately 30 years ago. New aquatic habitat was created when the pond was developed.

The Bull Trout (*Salvelinus confluentus*), Canada Lynx (*Lynx canadensis*), and Grizzly Bear (*Ursus arctos*) are listed as threatened and the Fisher (*Pekania pennanti*), Common Loon (*Gavia immer*), Harlequin Duck (*Histrionicus histrionicus*), Black-backed Woodpecker (*Picoides arcticus*) and Westslope Cutthroat Trout (*Oncorhynchus clarkia lewisi*) are listed as sensitive by the USFS and USFWS. The Horned Grebe (*Podiceps auritus*), Clark's Nutcracker (*Nucifraga columbiana*), and Pileated Woodpecker (*Dryocopus pileatus*) are species of concern. The pond was excavated approximately 30 years ago, any impacts to sensitive mammal species most likely has already occurred. The proposed project will not impact any threatened or endangered fish, wildlife, plants and aquatic species or any species of special concern.

Determination: No impact

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: There are no wetlands in the area of this project.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: This pond will provide additional habitat for wildlife and waterfowl. The Applicant proposes to stock the pond and will obtain a stocking permit from MFWP. Native fisheries resources will not be impacted.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: Soils within this area are old fluvial deposits not sensitive to saline seep. No impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

To make the pond, terrestrial vegetation was removed and a pit was dug approximately 30 years ago. The pond is fed by shallow groundwater. Land around the perimeter of the pond was disturbed and had the potential to be influenced by noxious weeds. Landowners are subject to county weed management policies.

Determination: No Impact

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No impact.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

Determination: No impact.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: None

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: The project is consistent with planned land use.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: The pond is on private property. It will not impact recreation or effect wilderness activities.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No impact.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights. Yes___ No_**X**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No
- (b) Local and state tax base and tax revenues? No

- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No
- (i) Transportation? No
- (j) Safety? No
- (k) Other appropriate social and economic circumstances? No

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: None

Cumulative Impacts: None

3. Describe any mitigation/stipulation measures: None

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:

PART III. Conclusion

1. Preferred Alternative: As proposed

2. Comments and Responses: None

3. Finding:

Yes___ No **X** Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant impacts have been identified; therefore, no EIS is necessary.

Name of person(s) responsible for preparation of EA:

Name: Melissa Brickl

Title: Hydrologist/Water Resources Specialist

Date: February 21, 2018